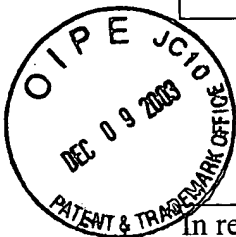


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Docket No.: 4703/1F214US3
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mitsunori Iwamoto, et al.

Application No.: 10/645,094

Art Unit: 1637

Filed: August 21, 2003

Examiner: Young J. Kim

For: NOVEL PROTEIN, ITS GENE, REAGENTS
FOR INDUCING APOPTOSIS AND
ANTICANCER AGENTS

SECOND PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with Rule 115 of the Rules of Practice, please enter the following amendments and consider the accompanying remarks before examining this application on its merits. It is believed that no fee is due for this amendment. However, should the U.S. Patent and Trademark Office determine that a fee is due or that a refund is owed for this divisional application, the Commissioner is hereby authorized and requested to charge any required fee(s) and/or credit any refund(s) owed to our Deposit Account No. 04-0100.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks begin on page 4 of this document.

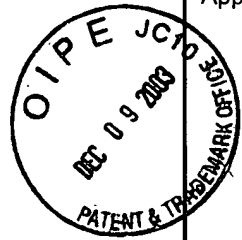
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{W:\04703\100F214-US2\00097783.DOC *04703100F214-US2* }

12-11-03

Application No. (if known): 10/645,094

Attorney Docket No.: 04703/100F214-US3



Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. **EL9 83951173 US** in an envelope addressed to:

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on December 9, 2003
Date

Signature

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.
Second Preliminary Amendment Under 37 C.F.R. § 1.115 (4 pages)
Amendment Transmittal Letter (1 page)
Return Postcard

**AMENDMENT TRANSMITTAL LETTER**Docket No.
04703/100F214-US3Application No.
10/645,094Filing Date
August 21, 2003Examiner
Young J. KimArt Unit
1637

Applicant(s): Mitsunori Iwamoto, et al.

Invention: NOVEL PROTEIN, ITS GENE, REAGENTS FOR INDUCING APOPTOSIS, AND
ANTICANCER AGENTS**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	3	- 20 =		x	
Independent Claims	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☐ Large Entity☒ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Samuel S. Woodley
Samuel S. Woodley, Ph.D.
Attorney Reg. No.: 43,287

Dated: December 9, 2003

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